

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Patrick Berry, Henrietta Brown, Nadine  
Little, Dennis Barrow, Virginia Roy, Joel  
Westvig, Emmett Williams, *on behalf of  
themselves and a class of similarly-situated  
individuals*; and ZACAH,

Civil Action No. 20-CV-02189  
WMW/KMM

Plaintiffs,

vs.

**(PROPOSED) ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
TEMPORARY RESTRAINING  
ORDER**

Hennepin County; Hennepin County  
Sheriff David Hutchinson, *in his individual  
and official capacity*; City of Minneapolis;  
Minneapolis Mayor Jacob Frey, *in his  
individual and official capacity*;  
Minneapolis Chief of Police Medaria  
Arradondo, *in his individual and official  
capacity*; Superintendent of the  
Minneapolis Park and Recreation Board Al  
Bangoura, *in his individual and official  
capacity*; Park Police Chief at the  
Minneapolis Park and Recreation Board  
Jason Ohotto, *in his individual and official  
capacity*; Police Officers John Does; and  
Police Officers Jane Does,

Defendants.

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**RESTRAINING ORDER**

THIS MATTER comes before the Court on Plaintiffs' Motion for a Temporary  
Restraining Order. Having reviewed the motion and being fully advised, the Court  
GRANTS the Motion.

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IT IS HEREBY ORDERED that, unless and until the Court otherwise orders, Defendants Hennepin County, Hennepin County Sheriff David Hutchinson, City of Minneapolis, Minneapolis Mayor Jacob Frey, Minneapolis Chief of Police Medaria Arradondo, Superintendent of the Minneapolis Park and Recreation Board Al Bangoura, Park Police Chief at the Minneapolis Park and Recreation Board Jason Ohotto and their agents and employees are enjoined from:

1. Clearing, sweeping, disbanding, or demobilizing encampments of homeless individuals living in public parks and other publicly-owned green space within Hennepin County;
2. Confiscating Plaintiffs' property until and unless Defendants adopt a policy that provides adequate pre-deprivation notice reasonably calculated to accurately inform Plaintiffs and members of the putative class about (i) the time, date, and location of the sweeps, with notice of at least 5 calendar days; (ii) a procedure for confiscating any property, including that any seized property be inventoried and stored in a safe place for at least 90 days so that the owner will have a reasonable opportunity to claim it; (iii) instructions on how to retrieve any confiscated property; and
3. Destroying any property belonging, or reasonably appearing to belong, to Plaintiffs and members of the putative class.

Defendants are directed to leave a notice in a prominent place for any property taken on the belief that it is abandoned, including advising where the property is being kept and when and how it may be claimed by the rightful owner.

The Court concludes that it is appropriate to waive the requirement that Plaintiffs file an injunctive bond in this instance.

SO ORDERED.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

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The Honorable

United States District Judge